THE DEPUTY CHAIRMAN: Let him be there where he is safer. He has informed that he is suffering from Malaria. He may be treated for some other dangerous disease. It is better that the Minister who also comes from that region takes care of him. In fact, both the Ministers are from that region. Now, Shrimati Jayanthi Natarajan.

REFERENCES (CONTD.)

Re. objectionable film on Rajiv Gandhi assassination

SHRIMATI JAYANTHI NATARAJAN (Tamil Nadu): Madam, I want to raise a very imporant issue today. In recent times, there has been a deplorable trend to denigrate the memory of national leaders. I do not know whether it is for political reasons, whether it is a matter of bad taste, or, whether it is a sinister attempt to create disintegration, disaffection and hatred in the country. Madam, even the Father of the Nation has not been spared and, in recent times, our beloved leader, late Shri Rajivji, has also been the target of attacks from various unscrupulous people. an ex-President of India also has said something, but I am not talking about that. At the other end of the spectrum there is a film called **Kutra Patrikai**—Chargesheet—which has been made in Tamil, which deals with the assassination of Rajivji, and the aftermath. This film was made 18 months ago. The Regional Board of Film Certification refused to give a certificate for the film to be released. The Central Board of Film Certification also refused to give a certificate for the film to be released. Then the film producers went in appeal to the Appellate Tribunal, and they ordered certain custs and directed that an 'A' certificate be given. In an extraordinary development, the Central Board of Film certification has appealed against the decision of the Appelate Tribunal in the High Court of Madras, which has granted a stay on the release of the film until August 31.

The film actually denigrates the memory of Rajivji in the most obnoxious way. There are many scenes in the film wherein the memory of the former Prime Minister of India, the beloved leader of so many millions of Indians, is denigrated. What is more important and more obnoxious is, the LTTE is sought to be eulogized, the LTTE is sought to be glorified. The entire **modus operandi** of the assassination is clearly brought out step by step.

My first objection to this film is, the LTTE has been banned; it is an organization banned in this country. How can you release the film? It is now dubbed into Hindi and Telugu, and it is being dubbed into various other languages. Unfortunately, this kind of sensational films wherein national leaders are denigrated, have an appeal to the prurient sense in a large number of people. For mass commercial value, there are people who are low enough to exploit the sentiments of the people. Here is an organisation which has owned up responsibility for assassinating Rajivji, a former Prime Minister of this country and the beloved leader of millions of people. Once you banned this organization, if a film eulogizes this organization, if a film shows the step-by-step process of the assassination, and if the film shows Rajivji, our own leader, in such a bad light, how can such a film be released? Once you ban an organization, to show a film about that organization, the activities of that organization, is a most serious perversion of any kind of norms of censorship that I can imagine. The film is called **Kutra Patrikai**—Chargesheet.

Secondly, we all know that the concept of "Human bomb" by which Rajivji was assassinated, was itself an idea which was drawn from a film called Negotiator by Frederick Forsyth. Look at the effect it will have on thousands of our young people, if this kind of a film is shown. There are explicit scenes of step-by-step

preparation and execution of the assassination. In a society that is already so much ridden by violence, I would like to ask, is it really necessary, and could we show the public how such an assassination is carried out? Are we trying to show young minds that this is how they can do it? When there is so much disaffection and so much of communal hatred, when so much of hatred is already spread over this country, is this the kind of further poison that we want to inject into our system?

Thirdly-it is an equally important point—the trial of the accused in the Rajiv Gandhi murder case is still going on. The accused have not been brought to justice so far, nothing has happened. Every day the process of the trial is going on in Madras. What is the effect that the release of this film going to have?

Therefore, my demand is that this film should be banned. If the Central Board of Film Certification allows this film to be released, it is going to result in a complete demoralization of a large section of society, who will lose faith in the system of justice, who will lose the faith that a proper, civilized society can exist in this country. Now, here is an extraordinary situation when the Central Board of Film Certification itself has gone to court against the decision of the Appellate Tribunal which ordered that an 'A' certificate be issued for the film. A further allegation is that even the Tribunal recommended that there should be certain cuts in certain places but that none of these cuts were carried out in presence of any officer of the Film Censor Board. This was a total violation of the rules. I don't know what forces have been brought to play over here. I do not know what motivated the Appellate Tribunal to give the certificate, but the fact of the matter is that no cut has been carried out, but the officers of the Film Censor Board claim that the cuts have been carried out.

It is a strange thing that an officer of the Film Censor Board says that the perception of the film in Tamil Nadu is very different from that in the rest of the country. One, Mr. Ramakrishnan, an official from the Film Censor Board says that the perception in Tamil Nadu is different from that elsewhere in the country because of the proximity to the assassination. The Congress leadership would not have been involved in this. For the Congressmen to do this is ridiculous. There is only one perception in the country that the LTTE had to be banned because it committed the foul act of assassinating the leader who was beloved all over the country. There was no different perception elsewhere. This is not an issue of the Congress. This is an issue of India. It is an insult to the prestige of India that a banned organisation can be eulogised in films.

Therefore, Madam, my demand is this. The stay which has been granted by the court expires on the 31st of August. Before that, the Government should ban the film, go to the court and tell the court that the film has already been banned.

Thank you, Madam.

SHRI S.K.T. RAMACHANDRAN (Tamil Nadu): Madam, the House has to take a serious note of this matter because it not only affects the glory of our past leader, it not only tarnishes the image of our past leader, departed leader, but it also affects the integrity and unity of the country.

Madam, the two aspects which deserve condemnation are these. One is the efforts made, through the film, to vindicate the murderer. It is said that there is a scene in the film, in which the murderer has been vidicated. How obnoxious it is!

Another thing is that there is serious indulgence to glorify the LTTE which is anti-Indian. It is also going to create some disorder in India. The effort will lead to destabilisation of peace in Tamil Nadu, and ultimately it is going to pose a

threat to the very unity and integrity of the country. If such efforts are not nipped in the bud, the end will be disastrous.

So, I wholeheartedly support the proposals of Mrs. Jayanthi Natarajan. I request you to instruct or request the Government to take up the matter seriously, to probe into it immediately and to come to a strategic decision on such sort of things which are going to affect our country's stability and integrity.

Thank you, Madam.

SHRI V. NARAYANASAMY (Pondicherry): Madam Deputy Chairman, about the film called "Kutrapatrikkai" in Tamil and "Chargesheet" in English, when the film was brought before the Censor Board, it rejected its certification, giving the reasons. The film was shown to the appellate authority. One of the counsels who appeared in that case also saw the film. He has narrated to me that the life history of our great leader, Rajivji, has been shown and that the gruesome assassination of our leader has also been shown in the film.

Madam, the gruesome killing of our great leader, Rajivji, is fresh in our memory even today, and it will remain in our memory in our life-time. But, unfortunately, the Appellate authority in its wisdom has given its certificate. The Counsel, who saw the film along with the Appellate authority told me that this will definitely create a law and order problem in Tamil Nadu. I will explain the reason. I will quote a small incident.

THE DEPUTY CHAIRMAN: Mr. Narayanasamy, I tell you one thing. Whether it creates a law and order situation or not is not the only question. The basic fact is that such a film should not be allowed to be shown or made.

SHRI V. NARAYANASAMY: Even if it does not create any law and order problem, considering the seriousness of the assassination and the kind of violence our Indian films have shown many times, this has been raised on the floor of the house and with the Prime Minister in a meeting with the Minister for Information and Broadcasting. The situation is more serious because it involves a leader of the country who was gruesomely assassinated. So, the problem is double. Whether there is a law and order problem or no law and order problem, this should be the attitude of the Government.

SHRI V. NARAYANASAMY: I would like to submit that the remarks made by the former President of India.....

THE DEPUTY CHAIRMAN: Let us talk about the film. It is much better if you confine yourself to your main point. Otherwise you will dilute the whole thing.

SHRI V. NARAYANASAMY: Some of the political parties are agitating in Tamil Nadu. It is going on even today. I am not going into the details of the book, which is written by the former President, because this will lead to dilution of this case. Fortunately, it is being challenged in the court. I brought this to the notice of the Minister for Information and Broadcasting saying that this film is going to be screened. A gruesome incident is going to be depicted there and the people not only in Tamil Nadu, but throughout the country are moved by the incident which happened and in which our leader has been assassinated. Therefore, the film is to be banned.

THE DEPUTY CHAIRMAN: Then what happened?

SHRI V. NARAYANASAMY: No action has been taken thereafter. I brought it to his notice personally. Not only that, because it is going on for the last two months and the film was about to be screened about fifteen days back, the Central Government went to the Court. The Board also went to the Court. The Central Government counsel also appeared in the case and the stay was granted by the Judge in Madras. There-

fore, I urge upon the Government to have a serious thinking on the matter and see that the film is not shown not only in Tamil Nadu, but also anywhere else in the country, because screening of the film will prejudice our Rajiv Ji's assassination case, which is going on in the court. Not only that, it will hurt the sentiments of the people of this country.

श्री सुरेश पचौरी (मध्य प्रदेश): माननीय सभापति महोदया, हमारी माननीय सदस्या श्रीमती जयंती नटराजन जी ने श्री राजीव गांधी जी की हत्या से संबंधित फिल्म का जो जिक्र किया है, उससे मैं अपने आपको संबद्ध करता हूं और उन्होंने जो रोषपूर्ण भावनाएं व्यक्त की हैं, उनसे अपने आपको संबद्ध करते हुए मैं भी आपके माध्यम से सरकार से यह निवेदन करना चाहता हूं कि इस प्रकार की आपत्तिजनक फिल्म पर बंदिश लगाया जाना बहुत आवश्यक है। महोदया, प्रश्न इस प्रकार की आपत्तिजनक फिल्म पर केवल बंदिश लगाने का नहीं है, प्रश्न इस बात का है कि हम राजीव जी के प्रति कितने कन्सर्न हैं? इससे पहले भी जब मैंने मुद्दा उठाया था तो मैंने यह निवेदन किया था कि राजीव जी की हत्या की साजिश की जांच करने वाला जो जैन कमीशन बनाया है, उसको पर्याप्त डॉक्यूमेंट्स नहीं दिये जा रहे हैं। सरकार की तरफ से और माननीया, इस चेयर से यह रूलिंग दी गयी थी कि माननीय मंत्री जी इस संबंध में अपना वक्तव्य दें तो पार्लियामेंट्री अफेयर्स के मिनिस्टर श्री रामेश्वर ठाकुर ने यह कहा था कि सारे सदस्यों ने इसको बहुत गंभीरता से लेते हुए खेद व्यक्त किया था कि सरकार की तरफ से भी और होम मिनिस्टरी की तरफ से ऐसी प्रेसी क्यों सबमिट की गयी कि 10 फरवरी को कैबीनेट के सामने यह प्रोपोज़ल आया, जैसा कि समाचार पत्रों में भी प्रकाशित हुआ कि जैन कमीशन को वांइड-अप कर देना चाहिए। जैसे ही यह बात आई, सारे सदस्यों ने इस को बहुत गंभीरता से लेते हुए खेद व्यक्त किया था कि सरकार की तरफ से भी और होम मिनिस्ट्री की तरफ से ऐसी प्रेसी क्यों सबमिट की गई कि 10 फरवरी को कैबिनेट के सामने यह प्रपोजल आया जैसा कि समाचारपत्रों में प्रकाशित हुआ कि जैन कमीशन वाइंड अप कर देना चाहिए। जैसे ही यह बात आई सारे सदस्यों ने इसको गंभीरता से लेकर इस पर अपनी गंभीर आपत्ति दर्ज की और चेयर से भी यह कहा गया कि इस संबंध में सरकार अपना मंतव्य दे लेकिन आज तक यह मंतव्य नहीं हुआ। आए दिन इस प्रकार की बातें उठ रही हैं। अब हमारी माननीया सदस्या ने फिल्म के संबंध में यह बात उठाई है जो अत्यंत आपत्तिजनक और चिंताजनक है कि आखिर हमारा रवैया है क्या। राजीव जी की हत्या से संबंधित स्टेप बाई स्टेप दिखाते हुए जो फिल्म बनाई जा रही है, उन को दिखाने के लिए अनुमति प्रदान की जा रही है। हमारे माननीय सदस्य नारायणस्वामी जी ने कहा कि इस संबंध में मंत्रालय का और मंत्री का उन्होंने ध्यान आकर्षित किया, फिर भी वह फिल्म दिखाई जा रही है। फिल्म उन लोगों की गतिविधियों को दर्शाते हुए दिखाई जा रही है जिस आर्गनाइजेशन को इस माननीय सदन ने पहले बैन कर दिया, प्रतिबंध लगा दिया, उस लिट्टे आर्गनाइजेशन की गतिविधियों के बारे में ज़िक्र किया जा रहा है। माननीय महोदया, मैं आपके माध्यम से सरकार का ध्यान दिलाना चाहता हूं कि आखिर हो क्या रहा है। होम मिनिस्ट्री की तरफ से प्रेसी 10 फरवरी को कैबिनेट के सामने प्रस्तुत हो कि जैन कमीशन वाइंड अप कर देना चाहिए। उसके संबंध में आज की तारीख तक होम मिनिस्टर का कोई वक्तव्य या स्पष्टीकरण नहीं आया। और तो और मेरे सामने एक और दस्तावेज है जो मेरी नोटिस में आया है, अगर यह सत्य से परे है तो सरकार स्पष्टीकरण दे। उस में यह है—

"On behalf of the Central Government, an application dated 25.6.1994 was submitted to the Jain Commission on 27.6.1994 with the prayer that the Commission may defer its proceedings till the final disposal of the writ petition No. 1544/94, pending in the honourable High Court of Delhi."

एक साधारण व्यक्ति ने हाई कोर्ट दिल्ली में एक पिटीशन दिया है कि जैन कमीशन को वाइंड अप कर देना चाहिए, उस से सहमति दर्शाते हुए जो सेंट्रल गवर्नमेंट का वकील है, जैन कमीशन के सामने यह दस्तावेज प्रस्तुत करे कि उस से संबद्धता दर्शाते हुए जब तक उस का निर्णय न हो तब तक जैन कमीशन की प्रोसीडिंग्ज बंद कर देनी चाहिए। महोदया, आए दिन हम ऐसी बातें, इस सदन के माध्यम से, आपके माध्यम से सरकार का ध्यान आकर्षित करना चाहते हैं लेकिन कोई जूं नहीं रेंग रही है। यह हम सब बहुत दर्द के साथ, बहुत दुख के साथ आपके माध्यम से व्यक्त कर रहे हैं आखिर ऐसी क्या वजह है कि पूरा हाऊस एकमत होकर इस संबंध में अपनी चिन्ता व्यक्त करता है। पूरे सदन ने राजनीतिक पार्टियों से परे रहकर यह मांग की थी कि श्री राजीव गांधी की हत्या के संबंध में उसकी साज़िश का पता करने के लिए एक कमीशन का गठन करना

चाहिए, कमीशन बना, पूरे सदन ने, अखिल भारतीय कांग्रेस कमेटी ने एक प्रस्ताव एकमत से पारित किया कि जैन कमीशन को पर्याप्त सहयोग देना चाहिए, पर्याप्त दस्तावेज देने चाहिए। फिर क्या वजह होती है कि 10 फरवरी को एक प्रेसी होम मिनिस्ट्री की सबमिट हो कैबिनेट के सामने। आखिर ऐसी क्या वजह होती है कि सेंट्रल गवर्नमेंट की तरफ से इस प्रकार का आवेदन जैन कमीशन के सामने प्रस्तुत हो। ऐसी क्या वजह होती है कि संसदीय कार्य मंत्री के इस सदन में आश्वसन देने के बाद कि इस संबंध में होम मिनिस्ट्री का क्या वक्तव्य है, हम सदन को सूचित कराएंगे आज की तारीख तक वह सूचित न कराया जाए। उसके बाद आए दिन इस प्रकार के प्रकरण हमारे सामने आ रहे है कि राजीव गांधी की 50वीं वर्षगांठ मनाने जा रहे है 50वीं वर्षगांठ को मनाने का कोई औचित्य नहीं है जब तक हम उनके हत्यारों की साज़िशों का सही पता न लगाएं। उनके बारे में केवल असमर्थता व्यक्त करने से काम नहीं चलेगा। प्रश्न इस बात का है कि उनके सम्मान को जिस काम से ठेस पहुंचे हम ऐसे कामों पर किसी भी प्रकार से अंकुश लगाएं यह हमारा प्रयास होना चाहिए। जो फिल्म का ज़िक्र हमारी माननीय सदस्या जयन्ती नटराजन जी ने किया है कि उस पर तुरन्त बैन लगाना चाहिए, केवल बैन लगाने से काम नहीं चलेगा, जिन अधिकारियों ने उनको अनुमति दी है, उनके खिलाफ कार्यवाही होनी चाहिए।

जिस वेंकटरामन जी कि किताब का उल्लेख किया गया है, दूरदर्शन पर उस इंटरव्यू को दर्शाया गया। इसके पीछे भी जिन लोगों की साज़िश है उन अधिकारियों के खिलाफ अभी तक पता नहीं लग पाया। महोदया, ये सारी गंभीर बातें आए दिन हम इस सदन में उठाते हैं लेकिन इस सब को बहुत आसानी से लिया जाता है। मैं आपके माध्यम से सरकार से अपील करना चाहूंगा कि इस को बहुत गंभीरता से लें। आप भी चेयर से होम मिनिस्ट्री को डाइरेक्ट करें कि होम मिनिस्टर इस संबंध में वक्तव्य दें कि आखिर बारंबार आश्वासन देने के बाद भी यह स्पष्टीकरण क्यों नहीं दिया जा रहा है कि आखिर जैन कमीशन को पर्याप्त डाक्यूमेंट क्यों नहीं दिए जा रहे है।....(समय की घंटी)

महोदया, मैं थोड़ा सा और समय लूंगा। हमारे माननीय सदस्य अहमद पटेल जी मौजूद हैं। अखिल भारतीय कांग्रेस कमेटी के महासचिव की हैसियत से उन्होंने जैन कमीशन को पत्र लिखा था उन सारे दस्तावेजों का हवाला देते हुए कि ये दस्तावेज प्रस्तुत करने चाहिए। जैन कमीशन ने भी गृह मंत्रालय को, तमिलनाडु सरकार को और केन्द्र सरकार को लिखा था कि ये सारे दस्तावेज उपलब्ध कराए जाएं।

उन्होंने उस पत्र पर अभी तक कोई गौर नहीं किया। यह जो कहा गया जैन कमीशन को वाइंडअप किया जाए, दूसरे सेन्ट्रल गवर्नमेंट को जो मैंने हवाला दिया और सारी प्रोसीडिंग पढ़ कर सुनाई, इन सब बातों को गम्भीरता से लेकर राजीव गांधी की नृशंस हत्यारों का पता लगाने के लिए अविलम्ब कार्रवाई करनी चाहिए। जैन कमीशन जो सहयोग मांग रहा है उसको पूर्ण सहयोग दिया जाना चाहिए। और इस तरह की जो फिल्म बना रहे है उनके खिलाफ कार्रवाई की जानी चाहिए, ऐसा मेरा आपसे अनुरोध है।

THE DEPUTY CHAIRMAN: Mr. Upendra wanted to speak. I will call him. Mr. Upendra.

SHRI P. UPENDRA (Andhra Pradesh): Madam, the matter is very serious from various angles. I have not seen the film myself and I do not have first-hand knowledge. But I go by the versions given by my colleagues here. The matter is *sub judice*. How could a film be made when the matter is before the Commission and how have the Censors passed it? That is the main question here.

There are three stages in this. The film is first viewed by the Panel of Censors at the local level. If that Panel rejects or orders cuts, it goes to a Review Committee consisting of different members of Panels and members of the Central Board of Film Certification. If they also concur with the lower Panel's judgment, the matter will go to Tribunal at the Central level which is headed by an eminent Judge. How could a Tribunal, headed by an eminent Judge, pass the film which is impinging upon the functioning of the Commission of Inquiry? It is a very serious matter. I have raised the matter in this House earlier. The Panel of Censors, the Board of Film Certification and the Tribunals consist of people of doubtful character. They have been packed with so many people of doubtful

character. They have no sense of propriety. And films with violence and sex and all such things are being passed by them. There is a consideration involved in this. I have received complaints also. They select their own people in the Panel to view the film and give a certificate. This is happening. Therefore, the need now is to overhaul the entire censoring system and create good panels and tribunals. Then only we can tackle this problem. I share the sentiments of hon. Members.

SHRI JAGESH DESAI (Maharashtra): If what Mr. Pachouri has said just now is true, it is a very serious matter. Rajivji was assassinated three years and four or five months ago. Everybody wants that those who are involved in it must be punished and that the matter should end as early as possible. I do not understand how this kind of a letter can be written to the Jain Commission to postpone the hearing of the Commission. I think the time has come now for the Home Minister to come and explain in this House if they have any difficulties. Take us into confidence. There may be difficulties. I do not know. But if thee are difficulties, then we should be taken into confidence; the whole nation should be taken into confidence. We are all concerned about the delay in the proceedings of the Jain Commission. How many years more will it take? I request the Home Minister Mr. Rajesh Pilot is hereto come before the House with a statement and explain how it was issued. If you have any difficulties, let us know. Why could the documents not be given to the Jain Commission? What are the difficulties? Please come before the House and explain. You cannot ask the Jain Commission to postpone the work of the Commission. Again I request the Home Minister. This is not just Jagesh Desai's opinion; this is the opinion of every Congress man and every citizen of the country. We are all very much agitated over the issue. I would like the Home Minister to come and explain to the House their stand, their difficulties. Take us into confidence. Take the nation into confidence. How many times has Mr. Pachouri raised this issue in this House? I am hearing him for the fifth time. He is crusading and we are all sitting here. We have not been given any information, any reasons. I am sorry to say that if the Government is going to function like this, those who were involved in Rajivji's assassination will go scot-free. Please come to the House and take us into confidence. This is my earnest request. Many people feel that they are kept in the dark as far as this case is concerned. Let us give information on this to the whole of India. You may have difficulties. But why are you not coming with a statement? Please come with a statement tomorrow itself.

श्री रजनी रंजन साहू (बिहार): माननीय उपसभापति जी, यह एक बहुत ही गंभीर मामला है। आपने भी अपनी चेयर से मंत्री जी को आदेश दिया था और संसदीय मंत्री ने इस बात का आश्वासन इस सदन में दिया था कि गृह मंत्रालय को सूचना दी जायेगी। लेकिन इसके बाद भी ऐसी कार्यवाही हो रही है और जैन कमीशन को बंद करना पड़ रहा है। यह बड़ा ही अशोभनीय है। हम लोग म्यूट एक्सपेक्टेटर्स की तरह इस सदन में बैठे हैं। जगेश भाई ने अभी सही कहा कि हम लोग और सुरेश पचौरी जी इस मामले को कई बार उठा चुके हैं। लेकिन ऐसा लगता है कि सरकार बिल्कुल ब्लाइंड आई अपनी दिखा रही है। गृह मंत्री जी यहां बैठे हैं, वह राजीव गांधी के बहुत करीब रहे हैं। मैं आपके माध्यम से उनसे विशेषतौर से अनुरोध करूंगा कि वे इसका आश्वासन दें और जैसा कि जगेश भाई ने कहा, वह कल इस पर अपना स्टेटमेंट दें। इस पर तत्काल कार्यवाही होनी चाहिए और जैन कमीशन में सुनवायी करके इसका फैसला, हम जो जयंती मनाने जा रहे हैं उसके पहले हो जाना चाहिये ताकि राजीव गांधी की आत्मा को शांति मिले और हम सब अपने कर्तव्य को निभा सकें। मैं आपके अनुरोध करूंगा कि आप गृह मंत्री को निर्देश दें।

उपसभापति: इसमें दो मुद्दे उठते हैं। एक तो जो सुरेश पचौरी जी बहुत पहले से उठा रहे हैं और दूसरे लोगों ने भी इस बारे में कहा है। पार्लियामेंटरी मिनिस्टर ने इस बारे में आश्वासन दिया था कि वे जैन कमीशन ने जो कागजात मांगे हैं उसकी पुष्टि करेंगे और यह भी कहा था कि जैन कमीशन को बंद करने के लिये कोर्ट

के सामने जो केस गया है उसके बारे में भी हाउस को बतायेंगे कि इस बारे में क्या हुआ। यह मामला होम मिनिस्ट्री से संबंधित है।

दूसरा सवाल जो यहां उठाया गया है, जो श्रीमती जयंती नटराजन ने उठाया है, वह फिल्म के बारे में है। जब कि राजीव गांधी का केस कम्पलीट नहीं हुआ है।

It is a *sub-judice-matter*. How was such a film made and even shown to the Censors and then the Government had gone to the court? This is not a small thing. Many things had happened in that case. The film was made. It was then shown to the Censors. The Censor disapproved fo certain things and asked for certain cuts. Then, again, it went to another appellate body and the appellate body allowed something and then the Government had gone to the court. I think, in the light of the seriousness of assassination of Shri Rajiv Gandhi and also in the light of seriousness of the matter that is going on, to find out about the whole assassination proceedings, I think, not only the Home Ministry but the Information and Broadcasting Ministry also should come forward to inform the hon. Members as to what the actual situation is because there may be many doubts in the minds of the Members. So, it is necessary that those doubts and apprehensions are removed. (*Interruptions*)

SHRI JAGESH DESAI: Madam, I would like to know one more thing. When the Minister comes to this House with a statement, I would like to know from him as to who had authorised the Advocate to make this kind of a request to the court because the brief is always given by the Government. Who had authorised him to make this kind of statement in the court?

THE DEPUTY CHAIRMAN: The Minister of State for Home Affairs is here. He will find this out and I am sure, he will let the Members know about it because it is not proper. (*Interruptions*)

SHRI P. UPENDRA: Madam, when the Government is coming out with a statement, why are they forcing him to say something now? Let the Government come out with a statement.

THE DEPUTY CHAIRMAN: He can say that he will convey the concern expressed by the Members. Let him say if he wants to say something. But the main thing is, if we want that a proper procedure should be followed, then I would like to tell you that the Minister heard you. What assurance can he give till he goes from here and finds out the facts that he is prepared to give? The best thing would be that the Minister should find out all the facts and come before the House because when we are celebrating the 50th Birth Anniversary of the late Rajiv Gandhi, there should not be any doubt in the minds of the people of this country or the Members of this House or the Members of this Party that there is some lacuna either in finding out the truth or there are some people who are trying to denigrate his memory. Okey.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHIR RAJESH PILOT): Let me say something, Madam. The hon. Members have very rightly expressed the sentiments on a matter which has evoked such an amount of anguish among them. It is not only the Member of the House but also the whole nation who want to know what the progress has been and what we have done in this regard, how much we have achieved to reach a stage where we could pinpoint those who have killed the brave man, the brave leader of our country, and it is also a fact that the Government which is in power, is there only because of the sacrifice of the late Rajiv Gandhi. Now that we are in the Government because of his sacrifice, it becomes all the more important for all of us, at least, to catch that man or that organisation who or which has killed our beloved leader and it is the right of the House to know the latest progress. Even if we have some hurdles in catching or tracing them as yet, at least the country and the House

should know at every moment, at every time or at some interval of time what the latest progress on that is. Let the whole country know that we have reached that stage or that we are marching forward or we are not marching forward. The impression, that there is any lacuna or any sort of less effort on the part of the Government, should not remain in the minds of the people. There has been progress, but it is the fault of my Ministry that I have not been able to inform the House regularly on this. I think, during the quesiton-answer session, the Home Minister had mentioned some progress while answering some quesitons which were raised by the hon. Members. If the hon. Member, Sureshji, recollects,—I was also sitting here at that time—some supplementaries were also answered. I assure the House that I will come soon with the latest progress, how much we have achieved.

So far as the Jain Commission is concerned, last time, the quesiton was raised about the extension of the tenure of the Jain Commission. The Government had extended it. There is no question of not giving full support to the Jain Commission. The Government is keen to find out the culprits. The Government is keen to find out the criminal organisation....(*Interuptions*)....

THE DEPUTY CHAIRMAN: Let him finish. Let him finish, please....(*Interruptions*).... Mr. V. Narayanasamy, you are impatient, but let the Minister answer, please....(*Interruptions*). Please let him answer.

SHRI RAJESH PILOT: Madam, if there is any such feeling that there is some act somewhere, I will cartainly come to the House and clarify everything,

how it has happened, but let me once again assure the House that we are equally concerned, we are having the same feeling, and we will certainly bring the total facts to the House, what the progress has been and what we are going to do in the future and we shall leave no stone unturned till we catch those culprits who have taken away Rajivji from us.

So far as the second point regarding the movie is concerned, as Upendraji said, I really do not have the total facts with me but I will inform my colleague, who is heading the Information and Broadcasting Ministry, that this is the feeling of the House, and request him to inform the House of how this film was cleared, how the Board of Film Certification had cleared it. I will convey the feeling to the Ministry concerned and my colleague.

(ends)

THE DEPUTY CHAIRMAN: Mr. Subramanian Swamy, who is no more a Member of this House, used to raise this issue regarding the Jain Commission and catching the culprits almost every day, one very occasion. Dr. Jagannath Mishra.

Re. Violation by Bihar Goverment of Supreme Coµrt Direction On "Creamy Layer"

डा० जगन्नाथ मिश्र (बिहार): उपसभापति महोदया, मैं एक अत्यंत ही संवेदनशील और लोक महत्व के विषय पर भारत सरकार का ध्यान आकृष्ट करना चाहता हूं और वह है उच्चतम न्यायालय का निर्णय जो 16 नवम्बर, 1992 को हुआ था मंडल आयोग की अनुशंसाओं को कार्यान्वित करने के संबंध में। भारत सरकार ने 10 सितम्बर, 1993 को एक अधिसूचना जारी कर दी जो आदेश उनको उच्चतम न्यायालय की ओर से दिया गया था। उच्चतम न्यायालय ने अपने 16 नवम्बर, के फैसले में केन्द्र और राय सरकारों को हिदायत दी थी, निर्देश दिया था कि इस निर्णय के 6 महीने के भीतर सभी राज्य सरकारें जहां आरक्षण पहले से लागू है या जहां आरक्षण अब से लागू होगा वे पिछड़े वर्गों को विभक्त करें मलाईदार परत, क्रीमी लेयर में, पिछड़े वर्ग और अत्यंत पिछड़े वर्ग में। इसके लिए 6 महीने का समय दिया गया था। भारत सरकार ने क्रीमी लेयर के निर्धारण के लिए एक न्यायाधीश की अध्यक्षता में समिति भी बनाई थी। उस समिति ने अपनी अनुशंसा दी और उस अनुशंसा के आधार पर भारत सरकार ने 10 सितम्बर को अधिसूचना जारी कर दी। राज्य सरकारों को भी 6 महीने के भीतर अर्थात् 16 मई, 1993 तक पिछड़े वर्गों का वर्गीकरण,